

O
JUL 22 2004
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ducksoo Kim
Serial No. : 10/786,413
Filed : February 25, 2004
For : "METHOD FOR SURGICALLY JOINING A VENTRICULAR ASSIST DEVICE TO THE CARDIOVASCULAR SYSTEM OF A LIVING SUBJECT USING A PIERCING INTRODUCER ASSEMBLY"
Examiner : unknown
Group Art Unit : 3764
Attorney's Docket No. : HTC-003

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Mail Stop: Missing Parts, Alexandria, Virginia 22313-1450 on: July 20, 2004.

Attorney for applicant: David Prashkar
Signature: David Prashkar
Date: July 20, 2004

AMENDMENT OF SPECIFICATION AND REQUEST FOR ENTRY
OF REPLACEMENT PARAGRAPH PAGES

Commissioner for Patents
P.O. Box 1540
Alexandria, Virginia 22313-1450

Dear Sir:

In substantive Response to the Notice To File Missing Parts Of NonProvisional Application Filed Under 37 C.F.R. 1.53(b), Filing Date Granted mailed May 25, 2004, applicant hereby amends the original Specification of the above-identified application pursuant to 37 C.F.R. 121.

Such amendment is being made by submission of replacement amended paragraph pages of the Specification for the changes listed below. A clean copy version and a marked-up copy version of the replacement amended paragraph pages for the Specification are enclosed as separate documents.

In the Specification:

Amend the Specification text appearing at:

Page 14, lines 2-10, 12, 14 and 16 respectively.

Accordingly, these replacement amended paragraph pages are to be formally entered into and made part of the Specification; and the formally entered replacement amended paragraph pages shall now constitute part of the Specification during the substantive prosecution of this application.

It will be recognized and appreciated also the present amendment of the Specification is made in lieu of providing a replacement Drawing as suggested in the instant Notice mailed May 25, 2004. Applicant respectfully

submits and affirms that the original Specification text describing the figures constituting the Drawing which appears at Page 14, lines 2-10, 12, 14 and 16 respectively is incorrectly recited; is the result of an inadvertent and unintentional error which appeared first at Page 14, line 2 with the erroneous wording "33B"; and which initial mistake was then accidentally carried forward in the numerical listing sequence stated for the figures at Page 14, lines 3-10, 12, 14 and 16 respectively thereafter.

Applicant also directs attention to the followings facts: Even a cursory inspection of the original Drawing shows that only 43, rather than 44, figures are presented in fact; and that the originally submitted Specification text beginning at page 84 and continuing through Page 95 discloses and reveals that the originally stated numbering of the figures went awry with the existence of the erroneous number "33B" appearing at line 2 of Page 14. Applicant also affirms that the originally submitted Specification text beginning at page 84 and continuing through Page 95 properly supports the present amendments to the Specification, as well as conforms the original figures of the Drawing fully and completely.

Accordingly, applicant maintains that the present amendment to the Specification obviate and remove any need for submitting a replacement Drawing as such; and applicant respectfully requests that the Examiners accept the present replacement paragraph page as a legally proper substitute resolution of the issue.

Respectfully submitted,

DUCKSOO KIM

By: 
David Prashker
Reg. No. 29,693
Attorney for applicant

Date: July 20, 2004
P.O. Box 5387
Magnolia, Massachusetts 01930
Tel.: (978) 525-3794